

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, :  
 : CASE NO. 1:04CR00049-001  
 :  
 v. : SENIOR JUDGE M.B. COHILL JR.  
 :  
 : MOTION FOR REDUCTION OF SENTENCE  
 JAMAR DUPREE ATKINSON, : UNDER TITLE 18 U.S.C. § 3582(c)

COMES NOW the Defendant, Jamar Dupree Atkinson, (hereinafter "Defendant") in his pro se capacity and respectfully moves this Honorable Court to issue an Order reducing his sentence pursuant to the retroactivity of Amendment 711 to the U.S.S.G.

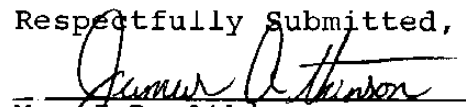
In support thereof, Defendant submits his brief attached hereto.

**FILED**

**FEB -5 2008**

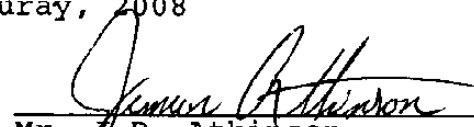
CLERK U.S. DISTRICT COURT  
"EST. DIST. OF PENNSYLVANIA"

Respectfully Submitted,

  
Mr. J.D. Atkinson  
20230-068 FCI McKean  
Box 8000 Bradford, Pa.  
16701

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent by regular U.S. Mail to the United States Attorney's Office at: 17 South Park Rd. Erie Penna., 16501 this 30 day of Januray, 2008

  
Mr. J.D. Atkinson  
Defendant pro se

BRIEF

The Defendant submits this motion for sentence reduction due to the amendment for "crack cocaine" which the U.S. Sentencing Commission announced would apply retroactively.

In accordance to the U.S.S.G. § 1B1.10, this new amendment may be applied to the Defendant due to having been charged with crack cocaine.

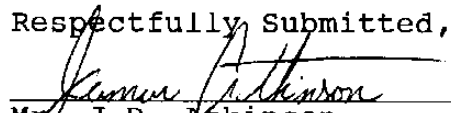
The Amendment reduces a base offense level (BOL) for crack cocaine by two levels.

With this reduction, Defendant's BOL for the amount of crack in his case established a BOL of 26. The new BOL under Amendment 711 now determines a BOL of 24 without the three point reduction for acceptance of responsibility (AOR).

With the three (3) point reduction for AOR, the Defendant's BOL is 21 category IV and thus qualifies defendant for a new sentence within 57-71 months imprisonment.

WHEREFORE, Defendant prays that this Court grant this motion and Order him to be resentenced in accordance to the 711 Amendment.

Respectfully Submitted,

  
Mr. J.D. Atkinson  
Defendant pro se